REMARKS

Claims 1 to 11 are pending in this application. Claims 12 to 19 were restricted and Claim 1 was amended

Support for the amendment to claim 1 can be found in original claim 1.

With respect to the restriction of Group II claims 12 to 14, Applicants respectfully submit that the reasoning behind the Office Action's rejection of the traverse is incorrect. The Office Action rejected the traverse because method of use claims is not the same as process of use claims. A review of MPEP 821.04 states that "when a product claim is found allowable, applicant may present claims directed to the process of making and/or using the patentable product by way of amendment pursuant to 37 CFR 1.121." (emphasis added). This is a matter of right as long as the process claims are present before final rejection, as they are in the instant application. MPEP §821.04. Applicants respectfully submit that there is no difference between process of using or method of using. Therefore, if the compound (product) claims are allowed, Applicants will submit an amendment pursuant to 37 CFR 1.121 to rejoin Group II claims.

Claims 1 to 11 were rejected under 35 U.S.C. 112 second paragraph because claim 1 recited the term "containing". This rejection is made moot by the amendment to claim 1. However, it should be noted that this is not a limiting amendment because no limitation was intended to be added by changing "containing" to "having". The recitation was meant to mean that the carbocylic ring may also contain (or have) heteroatoms in its structure.

Claims 1 to 11 were rejected 35 U.S.C 112 first paragraph because the definition of TZ had reactive functional groups such as hypohalide, S-halogen and N-halogen. This rejection is made moot by the amendment to claim 1.

The rejection to claims 1 to 5 under 35 USC 102(b) for being anticipated by GB 1,107,143 ("GB 143") is respectfully traversed. GB 143 relates to di-(hydroxynapthyl)-triazine compounds where the hydroxy group is ortho to the point of attachment to the triazine ring (e.g., see col. 1, lines 9 to 16 and definition of R). In contrast, the proviso recited at the end of claim 1 clearly states that "that the radical of Formula II is not a naphthyl substituted with a hydroxyl group ortho to the point of attachment to the triazine ring". In other words, the present claims do not claim bis(2-hydroxynaphthyl)-triazine compounds.

The Office Action is not entirely correct by stating that GB 143 "discloses several trisubstituted triazines with at least one β-naphthol group...." (see page 6,

second paragraph in the Office Action). GB 143 discloses that the triazine compound must contain two 2-hydroxynaphthyl groups. Since the present claims exclude bis(2-hydroxynaphthyl)-triazine compounds, the 102(b) rejection should be withdrawn.

The rejection of claims 1 to 6 under 35 USC 103(a) for being obvious under U.S. Patent No. 5,874,576 to Huber et al. (Huber) is respectfully traversed. Applicants respectfully submit that a proper prima facie case has not been made for this rejection. To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP 2143.03 citing *In re Royka*, 490 F.2d 981, 180 U.S.P.Q 580 (CCPA 1974).

Huber relates to monoamino-bis(2-hydroxyaryl)-triazine compounds. Formula I in Huber demonstrates that the compound must be a bis(2-hydroxyaryl)-triazine compound since Ar must either be phenol-based OR hydroxynaphthyl-based groups, where the hydroxy group must be ortho to the point of attachment to the triazine ring (e.g., see col. 1, lines 37 to 38 and the examples of Ar starting at col. 3). In addition, the Ar groups must be identical and can not be different such as a mixture of phenol and naphthyl groups. This is supported by the method of producing the compound shown at col. 5, lines 17 to 46 where cyanuric chloride is first reacted with a secondary amine, then reacted with an aromatic radical to produce monoamino-bis(2-hydroxyaryl)-triazine compounds. All the examples exemplified in Huber are either diresorcinol, bis(hydroxyphenyl) or di-naphthoresorcinol compounds with a hydroxy in the 2-position. Furthermore, all claims are directed to diresorcinol compounds. Therefore, it is clear that Huber only discloses or teaches monoamino-bis(2-hydroxyaryl)-triazine compounds.

In contrast, the claims of the present invention do not recite a monoamino-bis(2-hydroxyaryl)-triazine compound. Even if TZ in the instant claims is an amino group, Ar_1 can not be a naphthyl substituted with a hydroxyl group ortho to the point of attachment to the triazine ring based on the proviso in claim 1. Accordingly, the present claims do not recite a bis(2-hydroxyaryl)-triazine compound since only one of the aryl groups can be 2-hydroxynaphthyl. Since all the limitations of the present claim are not disclosed, taught or suggested by Huber, a proper prima facie case has not been made and the 103(a) rejection should be withdrawn.

With respect to the Office Action's question about joint inventors and ownership, all the claims were owned by common assignee, Cytec Technology Corporation, as demonstrated by the assignment filed with this application.

Accordingly, it is believed that pending claims 1 to 11 are in condition for allowance and an early notification of such allowance would be appreciated.

No fee is believed due for the submission of this response. Should any fee be required, please charge Deposit Account No. 03-4083.

Respectfully submitted

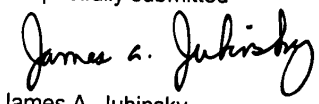

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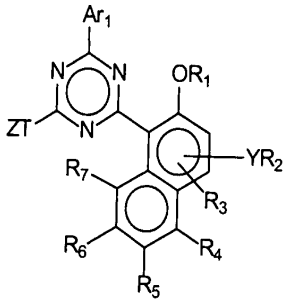
EXHIBIT A

Changes to the Claims

The rewritten claims were revised as follows:

1. (amended) A triazine compound of Formula I:



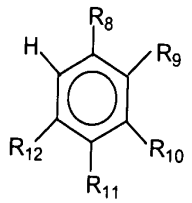
Formula I

wherein R_1, R_2, are the same or different and each is hydrogen, alkyl of 1 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, cycloalkyl of 5 to 25 carbon atoms, cycloacyl of 5 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, aracyl of 6 to 24 carbons atoms, COR, CONRR', and SO_2R;

R_3, R_4, R_5, R_6 and R_7 are the same or different and each is hydrogen, halogen, alkyl of 1 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, cycloalkyl of 5 to 25 carbon atoms, cycloacyl of 5 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, aracyl of 6 to 24 carbons atoms, OR, NRR', CONRR', OCOR, CN, SR, SO_2R, SO_3H, SO_3M, wherein M is an alkali metal, R and R' are the same or different and each is hydrogen, alkyl of 1 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, cycloalkyl of 1 to 24 carbon atoms, cycloacyl of 5 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, or aracyl of 6 to 24 carbons atoms, and Y is a direct bond, O, NR", or S, wherein R" is hydrogen, alkyl of 1 to 24 carbon atoms, haloalkyl of 1 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, cycloalkyl of 1 to 24 carbon atoms, cycloacyl of 5 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, or aracyl of 7 to 24 carbons atoms;

wherein T is a direct bond, oxygen, NR' or sulfur;

and when T is oxygen, NR' or sulfur, Z is a hydrogen, ~~halogen,~~ substituted or unsubstituted alkyl of 1 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, aracyl of 7 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, cycloalkyl of 5 to 24 carbon atoms, cycloacyl of 5 to 24 carbon atoms, substituted or unsubstituted alkyl of 1 to 24 carbon atoms interrupted with at least one hetero atom, cycloalkyl of 5 to 24 carbon atoms interrupted with at least one hetero atoms, $CONR'''R''''$, SO_2R''' or Ar_2, wherein R''' is substituted or unsubstituted alkyl group of 1 to 24 carbon atoms; R'''' is hydrogen or substituted or unsubstituted alkyl group of 1 to 24 carbon atoms;
and when T is a direct bond, Z is a hydrogen, halogen, substituted or unsubstituted alkyl of 1 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, aracyl of 7 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, cycloalkyl of 5 to 24 carbon atoms, cycloacyl of 5 to 24 carbon atoms, substituted or unsubstituted alkyl of 1 to 24 carbon atoms interrupted with at least one hetero atom, cycloalkyl of 5 to 24 carbon atoms interrupted with at least one hetero atoms, $CONR'''R''''$, SO_2R''' or Ar_2, wherein R''' is substituted or unsubstituted alkyl group of 1 to 24 carbon atoms; R'''' is hydrogen or substituted or unsubstituted alkyl group of 1 to 24 carbon atoms;
~~and~~ wherein Ar_1 and Ar_2 are each independently a radical of Formula II



Formula II

wherein R_8, R_9, R_{10}, R_{11}, and R_{12} are the same or different and each is hydrogen, halogen, alkyl of 1 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, aracyl of 6 to 24 carbon atoms, OR, NRR', CONRR', OCOR, CN, SR, SO_2R, SO_3H, SO_3M, wherein M is an alkali metal, and optionally with either of R_8 and R_9, R_9 and R_{10}, R_{10} and R_{11}, or R_{11} and R_{12}, taken together being a part of a saturated or unsaturated fused carbocyclic ring optionally ~~containing~~ having O, N, or S atoms in the ring with the proviso that the radical of Formula II is not a naphthyl substituted with a hydroxyl group ortho to the point of attachment to the triazine ring.